

Application No.: 09/050,808  
Request For Reinstatement Dated: December 29, 2004

MAT-5860



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 09/050,808  
Appellant: Yutaka Machida  
Filed: March 30, 1998  
Title: DECODING AND CODING METHOD OF MOVING IMAGE SIGNAL, AND DECODING AND CODING APPARATUS OF MOVING IMAGE SIGNAL USING THE SAME  
TC/A.U.: 2613  
Examiner: Allen C. Wong  
Confirmation No.: 7277  
Docket No.: MAT-5860

**REQUEST FOR REINSTATEMENT OF APPEAL**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Official Action dated October 1, 2004, Reinstatement of the Appeal is respectfully requested.

The price difference between the present cost of a Notice of Appeal and the previous cost of a Notice of Appeal (\$170) is enclosed.

01/04/2005 MAHMED1 00000044 180350 09050808  
01 FC:2401 80.00 DA 170.00 OP

A Supplemental Appeal Brief will be filed within two months.

Respectfully Submitted,

RatnerPrestia

Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Appellant

LEA/ds

Dated: December 29, 2004

Suite 301  
One Westlakes, Berwyn  
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The Assistant Commissioner is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Appeal Brief - Patents, Commissioner For Patents, P.O. Box 1450, Alexandria, VA, 22313-1450 on December 29, 2004.

Lawrence E. Ashery

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(to be used for all correspondence after initial filing)

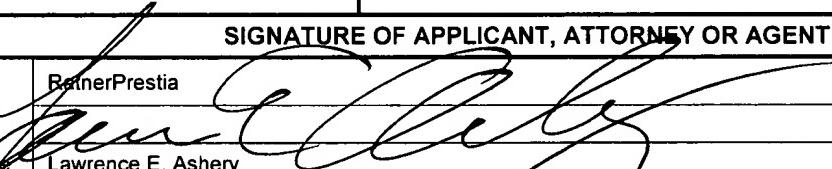
Total Number of Pages in This Submission

Application Number	09/050,808
Filing Date	March 30, 1998
First Named Inventor	Yutaka Machida
Art Unit	2613
Examiner Name	Allen C. Wong
Attorney Docket No.	MAT-5860

## ENCLOSURES (Check all that apply)

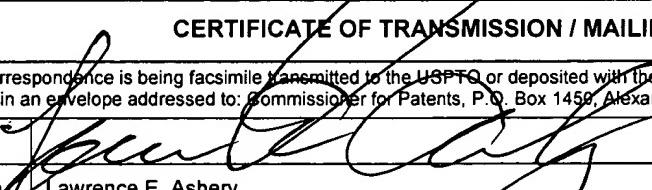
- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><small>USPTO Credit Card Payment Form<br/>Return Postcard</small> |
|--|---|---|
- Remarks:**

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm Name	ReinerPrestia		
Signature			
Printed Name	Lawrence E. Ashery		
Date	December 29, 2004	Registration No.	34,515

## CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature 

Typed or Printed Name

Lawrence E. Ashery

Date

December 29, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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JAN 03 2005

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 170.00)

## Complete if Known

Application Number	09/050,808
Filing Date	March 30, 1998
First Named Inventor	Yutaka Machida
Examiner Name	Alllen C. Wong
Art Unit	2613
Attorney Docket No.	MAT-5860

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 18-0350 Deposit Account Name: RatnerPrestia

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

## 2. EXCESS CLAIM FEES

## Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Small Entity Fee (\$)	Fee (\$)
- 20 or HP =	x	= 0			50	25
HP = highest number of total claims paid for, if greater than 20					200	100
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)		360	180

HP = highest number of independent claims paid for, if greater than 3

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	= 0	

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Reinstate of Appeal (\$500-330 = \$170)

SUBMITTED BY	Registration No. (Attorney/Agent)	Telephone
Signature	34,515	(610) 407-0700
Name (Print/Type)	Lawrence E. Ashby	Date December 29, 2004

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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